

The Effects of the Type of Law and Medium
On the Attitudes of Consumers, Future Attorneys, and
Current Lawyers Towards Legal Advertising

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Tara A. Hare

The Ohio State University
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Project Advisor: Professor Neeli Bendapudi, Department of Marketing

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Chapter I: Introduction

Lawyers provide a service for their customers. As is the case with other services provided (e.g. physicians, accountants), law firms need to deal with the issues of inconsistency, inseparability, intangible, and inventory (Zeithaml and Bitner, 1996). Service intangibility refers to the fact that unlike the case with goods (e.g. clothing, pens, or furniture) the consumer can not really evaluate the product until after the service has been consumed. Inconsistency refers to the notion that because services are labor intensive, the human component makes them far less uniform than goods that come off the same production line. Inseparability refers to the fact that for services, consumers generally have to participate in the production and delivery, as opposed to goods. That is, for a physician or a lawyer to do their jobs effectively, the consumer has to be more involved whereas a quality car can be produced, with little or no input and participation by the consumer. Finally, inventory highlights another critical difference between goods and services. Unlike goods, unsold service (the unused time of a lawyer, for example) can not be held in inventory for resale.

As a result of all these features, other things being equal, customers generally experience more risk in purchasing services than they do in purchasing goods. Consequently, in purchasing services, customers are much more likely to look to their friends and family or other personal contacts for referrals. However, few services can expect to rely strictly on word-of-mouth. Many services, including law firms, try to stimulate market demand by using advertising as a supplement to referrals.

When consumers are searching for an attorney, they are confronted with a myriad of advertisements by attorneys. Consumers use these advertisements to aid in their decision-making process as to which attorney to hire. From prior research, it is known that consumers are more favorably disposed towards lawyer advertising than the legal profession. The profession is still divided in their attitudes towards certain advertisements especially in certain mediums. While some lawyers within the profession still hold a negative attitude toward any type of legal advertising, the marketplace is demanding some type of marketing for law firms. Unfortunately, much of the literature that has addressed these differences between the general public and the legal profession is relatively dated. Consequently, we do not know whether these attitudes still prevail. Understanding the state of these attitudes will be very helpful for the management at the law firms deciding how to market the firm.

In addition to whether to advertise, once firms decide in the affirmative, they must examine where to advertise. Every day, new media are opening up to law firms. One prominent new entrant is the Internet. The Internet offers all businesses including law firms another medium to spend their advertising budget on.

The goal of this research is to first explore whether the findings from previous studies on differences in attitudes towards legal advertising between the legal profession and the customers still hold. To examine how the differences may change across groups in the coming years, this study focuses on three groups: current lawyers, future lawyers or law students, and future consumers or current non-law undergraduate students. The study will also look at the relationship between various demographic variables and attitudes towards legal advertising. Finally, the study will

examine a previously unexplored issue: the effect of the type of law being advertised and the media employed on overall attitudes, including, but not limited to the Internet.

Chapter II: Literature Review

History of Lawyer Advertising

Advertising by lawyers was common in the nineteenth century and was typically found with other notices by professionals in the classified sections of the newspapers. No stigma was attached to the lawyers that advertised; in fact, many were among the most highly respected in their communities. During the time of the industrial revolution, the legal profession became one directed at commercial enterprise rather than one focused on the individual. With this new focus and growth in the size of the profession came the first code of legal ethics in 1846. The first code of ethics stated that certain forms of advertisements were allowed, but it explicitly prohibited targeted solicitation. This code was first adopted by the Alabama State Bar Association in 1887. The American Bar Association based the original Canons of Professional Ethics on the Alabama code and adopted it in 1908. Unlike the Alabama code, the Canons of Professional Ethics barred lawyer advertising stating that “the most worthy and effective advertisement possible...is the establishment of a well-merited reputation” (American Bar Association, 1995). It has been speculated that the ban on advertising by lawyers was a way to limit entry into the growing profession. In addition to the ban on advertising, there were also methods of restrictions through admissions requirements and fitness examinations. This is unlike the voluntary restraint on advertising by the medical profession, which was enacted as a way of separating doctors from non-medical practitioners (American Bar Association, 1995).

In 1969, the Canons of Professional Ethics was replaced by the Model Code of Professional Responsibility. Shortly after this replacement, it became more apparent that people, particularly those of low and moderate incomes, were incurring problems in obtaining affordable legal representation. This segment of the population was having problems determining when they needed legal services, finding an attorney, and obtaining information about the costs of legal services. In an attempt to overcome these problems, two Phoenix lawyers operating the Legal Clinic of Bates and O'Steen placed an ad in the Arizona Republic on February 26, 1976 stating "Do you need a lawyer? Legal Services at Very Reasonable Fees" (American Bar Association, 1995). The ad was in violation of the Arizona Disciplinary Rule 2-101 prohibiting print advertisements by attorneys. The case of Bates vs. the State Bar of Arizona went before the U.S. Supreme Court where the Supreme Court ruled that the states may not bar lawyers from advertising (American Bar Association, 1995).

After the Supreme Court's ruling in Bates vs. the State Bar of Arizona, the debate in the legal profession shifted from whether lawyer advertising should be permitted to how should it be regulated. This forced the American Bar Association to examine the Model Code resulting in the adoption of the Model Rules of Professional Conduct (Hill, 1993). The Model Rules are the primary standards by which a lawyer's conduct is judged. Even with this reversal of the ban on advertising by lawyers, very few lawyers opted to advertise the first few years after the ban was lifted because advertising was primarily regarded negatively (American Bar Association, 1995). However due to the competitive marketplace, law firms today

are forced to market themselves in various ways and employ different advertising techniques.

The legal profession remains divided over whether attorneys should market themselves; however, more attorneys are discovering the necessity of marketing (Triplett, 1994). Many of those seeking legal advice seek out referrals because they represent a third person's evaluation of the service. While most people still find lawyers through personal referrals, more are using advertisements to aid in their decision making than previously (Fulkerson, 1995).

There are still issues that remain to be resolved. Even with all of the research conducted on legal advertising, no one has examined whether the type of law has any effect on attitudes towards the advertisement. There is also an emergence of a new medium, the Internet, which has not been studied. It has been twenty-two years since attorneys were once again allowed to advertise. Over the years, attitudes and lifestyles have changed; therefore, people may be more favorably disposed towards legal advertising today. The objective of this research is to examine three issues. First, do lawyers, law students, and undergraduate students differ in their attitude towards lawyer advertising. Second, does the type of law affect attitudes towards the advertisement. Third, is there an interaction between the type of law and the type of medium used to advertise.

Internet

The Internet provides a low entry cost alternative medium for advertisements. While the Internet is still a new source/medium for advertisements, there are a large

number of businesses with access to the Internet making it a viable way of reaching a large portion of the business-to-business market. While the Internet is capable of reaching a large number of businesses, it is also capable of reaching the more than twenty million and still growing users in more than one hundred and ninety-four countries (Cateora and Graham, 1999). With the Internet growing so rapidly, law firms that choose to advertise via a web site on the Internet may need to advertise their web site in other mediums.

The Internet is an efficient medium for accessing, organizing, and communicating information (Peterson, Balasubramanian, Bronnenberg, 1997). The World Wide Web is an Internet service that organizes information. The most common advertisements on the Internet are in the form of home pages and interactive brochures.

Chapter III: Hypothesis Development

Formation of attitudes

The public's attitudes towards lawyers that advertise has an affective and a cognitive component. Both the affective dimension of likeability and the cognitive dimension of believability affect the public's perception of the ability and ethics of the lawyer in the advertisement. These two dimensions inevitably affect the final decision of the consumer as to whether to use the attorney displayed in the advertisement (Kilbourne, 1991).

Difference in Attitudes of Legal Advertising

While there is still a general negative attitude in the legal profession towards advertising, the public is more accepting concerning the subject (Moncrief and Bush, 1988). The American Bar Association found that 90% of consumers believed that lawyer advertising was acceptable under certain conditions, with one-third believing that it was acceptable at any time. While most consumers believe it to be acceptable, 80% of lawyer respondents believed that advertising for the legal profession was acceptable in certain situations, with only 13% believing that it was acceptable at any time (ABA, 1990). For example, the public views direct mailing more favorably than lawyers. This evidence shows that there is a difference between the attitudes of lawyers and the general public towards lawyer advertising. However, given that these findings are over a decade old, it remains to be seen whether these differences still hold. Another issue that has not been examined is whether the new generation of lawyers (current law students) will exhibit more favorable opinions of lawyer

advertising. As a point of contrast, if we consider current undergraduate students, they may be most favorable towards lawyer advertising because they have grown up in a culture where lawyer advertising is increasingly accepted.

H1: Since consumers are more accepting of legal advertising, it is expected that undergraduates will be most favorably disposed towards legal advertising, that the lawyers will be the least favorable, and that the law students will be in-between.

Demographics

The perceptions of lawyers who advertise are also affected by the demographics of the segment. Past studies have shown that more men than women believe that advertising by lawyers should not be allowed (ABA, 1990). Women rather than men are more likely to consider advertisements of lawyers to be truthful. However, more men than women believe that advertising by lawyers would increase competition in the profession (Kallis and Vanier, 1983). Again, this data is several years old and it is not clear whether the same differences still hold. It is also possible that there will be a gender status interaction. While women in general may be more favorably disposed towards lawyer advertising than men, women lawyers need not exhibit the same pattern. If women lawyers worry about acceptance and credibility to a greater extent, they may in fact be more critical of advertising, seeing it as eroding credibility.

H2: In general, women will be more favorably disposed towards legal advertising.

H2B: In the case of lawyers, it is expected that the men will have more favorable attitudes towards legal advertising.

The American Bar Association found that consumers age fifty-five and older are less accepting of lawyer advertising since they had grown up when legal advertising was banned. College graduates were also more likely than consumers with less than a college education to indicate in the ABA study that lawyer advertising is acceptable under certain circumstances. (ABA, 1990)

In addition to the differences among the consumers, the ABA also discovered that age of the lawyer and the number of years practicing the law influenced the attorneys' attitudes towards lawyer advertising. The attorneys younger than thirty-five or those practicing less than ten years were most accepting of advertisements for attorneys. Since the study was conducted in 1990, both of these segments would have entered the legal profession after the Supreme Court ruled in 1977 that the states could not prohibit lawyers from advertising (ABA, 1990).

H3: Since the younger a person is the more likely that he/she will be more favorably disposed towards legal advertising, it is hypothesized that the older a person is regardless of whether he/she is an undergraduate, law student, or attorney, the more negative attitude he/she will have towards lawyer advertising.

Media Choice

Moncrief and Bush (1988) examined the attitudes of consumers towards television advertisements by professionals, which included lawyers, dentists, chiropractors, and physicians. Consumers view television advertising to be detrimental to all of the professions tested. Although the advertisements aid in providing information to consumers, the overall image of the advertiser in the television ads was low. If a lawyer chooses to advertise via television, hiring a

spokesperson would serve him/her best since it was viewed as the most favorable approach tested by Moncrief and Bush (1988). An attorney should avoid placing himself in the advertisement. However, lawyers who target the upper-middle class segment should not advertise on this medium since this group of consumers would not be likely to use an attorney who has advertised via the television (Moncrief and Bush, 1988).

The medium chosen by the lawyer affects the image of the attorney. Television and radio are repeatedly rated as being less appropriate than trade journals, newspapers, and magazines. The most beneficial medium in the eyes of the public is the yellow pages (Kallis and Vanier, 1983). The Yellow Pages require no large start-up fees and is consistently found to be appropriate and favorable (ABA, 1992). In a study conducted by the American Bar Association, two-thirds of the respondents (law firms) consider the yellow pages to be a source of revenue enhancement for them.

The Internet also provides law firms with another option for advertising. Since the Internet emerged, there has been no study conducted on legal advertising. This study includes Internet along with other medium (yellow pages, radio, television, and print) in addition to word-of-mouth to determine which medium offers the most favorable image of the lawyer.

Bellizzi, Fraser, and Hite (1990) found that firms who advertise are perceived to be of lower quality. The perceived quality of a firm is also lowered if a firm includes the price of its services in the advertisement. The perception of quality can be increased if the prices that are advertised are justified; however, if the service is considered to be higher-risk, the quality is perceived to be lower than lower-risk

services even if the prices are justified. If the price is included, but not justified in the lower-risk service advertisement, it is assumed that the price is the only dimension to which it has the advantage resulting in the consumer concluding that another attorney is of better quality and choosing another attorney. When the service is considered to be lower-risk, advertisements can increase the intentions to purchase; however, as consistent with prior studies as the perceived risk increases, the advertisements become less important in the decision-making process. (Bellizzi, Fraser, and Hite, 1990) Lawyers that choose to continue or begin advertising should advertise the low-risk services. Bellizzi, Fraser, and Hite (1990) also discovered that consumers who are actively seeking information about legal services will be more receptive towards advertising than those who are not seeking additional information.

H4: Attitudes towards lawyers who advertise will be affected by the medium. It is expected that the firm conducting no advertising will be perceived most favorably. Among those that do advertise, firms that advertise via the yellow pages will be perceived most favorably followed by those who advertise on the Internet. Television will be the least favorable and print and radio advertisements will be in-between.

Business to Business

Service advertising has different needs than more tangible products. Since the product is intangible and inseparable from the consumer, a different hierarchy of effects is considered for services. Consumers of tangible products learn, feel and then do while service consumers tend to feel, do and then learn from their actions (Zeithaml and Bitner, 1996). This information is useful in determining the most effective way to advertise a service.

Like tangible products, advertising a service to another business is different from advertising to an individual consumer. The business-to-business buying process is considered to be more rational and longer term. Businesses tend to address products of greater complexity, involve larger amounts of money, depend on groups to make the decision, and involve mixes that are customized for the company (Turley and Kelley, 1997).

Law firms are guilty of failing to advertise to their target market's needs (Donath, 1996). While business-to-business advertisements demand different content than the advertisements for consumers, Turley and Kelley (1997) discovered that the only difference in the advertisements found to be significant was business-to-business advertising used rational advertising appeals more frequently. Although businesses are considered to be more rational, information that is important in rational decision making such as price, quality claims and Internet address was not significantly different between business advertisements or individual consumers. This information would be invaluable to a business decision-maker and trying to make a rational decision (Turley and Kelley, 1997).

In contrast to business-to-business advertising is advertising by personal injury law firms. In general, personal injury law firms have a lower reputation because they are frequently viewed as ambulance chasers. This suggests that opinions about the type of law may affect attitudes towards advertising by these law firms.

H5: Advertisements by business attorneys will be perceived by all three of the sample groups to be more acceptable than advertisements by personal injury attorneys.

Internet

Advertising on the Internet is particularly suited for intangible or service-related goods. According to Peterson, Balasubramanian, and Bronnenberg (1997) the suitability of Internet advertising is dependent on the characteristics of the product being marketed. The characteristics of a product suitable for the Internet are products which are high-cost and infrequently purchased, intangible, and differentiated. Although all of these characteristics help to determine if the Internet is well suited for the product, an intangible or informational product regardless of high or low differentiation favors the Internet marketer (Peterson, Balasubramanian, and Bronnenberg, 1997). This makes the Internet a possible medium for lawyer advertisements.

By providing the relevant non-price attributes of the product, consumers may do fewer comparisons by price. The relevant attributes aid in differentiating the product; therefore, the products are chosen by the attributes and not the price. However, since the Internet is an international medium, a law firm must consider the regulatory environment when advertising these attributes. Even within the United States there are different regulations about claiming to be a specialist in a certain field.

H6: Because the Internet is so frequently used by businesses, it is expected that advertisements for business attorneys will be perceived by all three groups to be more favorable than personal injury legal advertisements on the Internet.

Chapter IV: Methodology

The primary research objectives of this study were to test attitudes based on different mediums in legal advertising and the type of law being advertised. Five different mediums and two different types of law were tested in a between subject design. A control group of no advertising was used with both types of law as a form base level. A secondary research objective was to observe the difference in the attitudes of lawyers, law students, and consumers toward legal advertising.

Sample Selection and Composition

A sample size with a total of 443 respondents was used in this study. The consumer segment of the study was derived from two undergraduate marketing classes at a large university. The students voluntarily came to the site of the experiment and received one point of extra credit for completion of the experiment. The questionnaire seen in Exhibit A was administered every half an hour when the undergraduates arrived. The questionnaire took the undergraduate students a maximum of fifteen minutes. A total of 250 students completed the study with an average age of 22. Exhibit B gives more detailed characteristics of the undergraduate sample.

The 108 law students were from a large university. The law students voluntarily stopped at a table set-up by their lockers and mailboxes for a cookie and one dollar in exchange for completing the fifteen-minute questionnaire. Exhibit C provides a more detail description of the law student sample.

The lawyer segment was composed of eight different law firms in the Columbus or Cleveland area and one law school. A total of 85 lawyers completed the questionnaire. The questionnaires were given to one member of the firm and distributed to different lawyers in the firm. The lawyers who teach in law schools received them in their mailboxes and were instructed to return them to a secretary in the law school. A more detailed description of the lawyers can be seen in Exhibit D.

Within the different respondent groups, the research instrument was distributed completely randomly in terms of the ad type and law type being described. Each subject received one of the twelve descriptions and a questionnaire.

Scales and Measures

A thirteen-item, seven-point bipolar adjective scale tested the image of the law firm in the description. (see Exhibit A, question 1) While the image of the law firm described is tested, the overall image of lawyer advertising was also tested. By employing a seven-point Likert-type scale, the image of lawyer advertising was tested. In order to test some of the hypotheses, a measure of attitude towards legal advertising needed to be calculated. The overall attitude towards lawyer advertising was formed by combining the items in question #3 with the exception of fifth item of the questionnaire as seen in Exhibit A.

Question five was in the form of a Likert-type scale in order to measure the likelihood that a person in search of an attorney would use each of the mediums being tested in the descriptions of the law firms in the beginning of the questionnaire.

Data Analysis

Analysis of variance, t-tests, and regression analysis were used to test attitudes towards lawyer advertising. A reliability test was run on question #3 of the questionnaire to determine if the questions all measured the same attribute. The reliability of the questions used to measure the overall attitude was .7620 with alphas if the item is deleted ranging from .6990 to .7593 showing that all of the items were good measurements of the one dimension.

Chapter V: Results

Difference in Attitudes of Legal Advertising

The first hypothesis proposes that the undergraduate students will be most favorably disposed towards legal advertising, the law students will be second and the lawyers will have the least favorable attitude towards lawyer advertising. This model attempts to test the overall attitude of the subjects using a univariate analysis of variance to determine if there was a difference in the attitudes of the different subjects. As seen in Table II, there is a difference in the means of the three groups. From the average measurement of attitudes, the undergraduates are more favorable towards legal advertising followed by law students, and finally lawyers, though these differences are not statistically significant. Thus there is directional support for H1.

Demographics

The second hypothesis proposes that women will be more favorably disposed towards advertising by lawyers than men. To test this hypothesis, a t-test was conducted between the two groups. Results showed no significant differences, as reported in Table IV. However, H2B proposed that there would be an interaction effect with women lawyers being less favorable towards lawyer advertising than their male counterparts. To test this hypothesis, three separate t-tests were conducted for each of the three groups. Results strongly support the hypothesis. While there were no significant differences between men and women undergraduate students as seen in Tables V and VI ($t=-1.065$; $p>.05$), and men and women law students as seen in

Tables VII and VIII ($t=-.76$; $p>.05$), the difference was highly significant among lawyers. Specifically, women lawyers had significantly lower favorability towards legal advertising as seen in Tables IX and X ($t=2.3$, $p<.05$).

H3 concerned the relationship between age and attitude towards legal advertising. Consistent with prior research, it was proposed that there would be a negative relationship between these variables. However, a regression analysis with age as the independent variable and attitude as the dependent variable, Table XI was not significant. This suggests that as legal advertising matures, individuals are in general getting to be more accepting of this strategy.

To test whether differences would emerge within groups, the relationship between age and attitudes was tested separately for the three groups as seen in Tables XII-XIV. There were no significant effects for either the undergraduate students or the law students. For the lawyers, there was a surprising positive relationship between age and attitude ($t=2.3$, $p<.05$). This contradicts the earlier literature which reports a negative relationship. However, in this study, age may be confounded with gender. The mean age of the male lawyers was 39 and the mean age of the female lawyers was 34. Given that there were significant gender differences, the findings on the relationship between age and attitudes needs to be interpreted with caution.

Media Choice

H4 proposed that there would be significant differences between the media utilized and the attitudes towards lawyers advertising in each of the media. Initially, the plan was to contrast media effects across all three samples. Given the constraints

of low numbers of law students and lawyers, the rest of the analyses will be confined to undergraduate students. Among undergraduate students, there were clear differences among the media used ($F=2.85$, $p<.05$). Contrary to earlier studies, the no advertising condition did not generate the most positive attitudes, once again proving that among the younger age groups legal advertising is becoming very well accepted. In fact, no advertising was significantly lower in the attitude towards the firm than advertising in the yellow pages, radio, or television. Surprisingly, the highest attitudes were generated from advertising on the radio. Advertising on the Internet was significantly higher only than advertising through the print media. Television advertising also fared better than expected, for example it generated better attitudes than the no advertising and the print advertising conditions. These results seen in Table XV strongly suggest that conventional wisdom about the acceptance of media needs to be reexamined for each generation.

Type of Law

H5 proposed that business law advertising would be more favorably perceived than advertising by personal injury law firms. Even controlling for all descriptions of the firm, merely mentioning that it was a business law firm versus a personal injury law firm had a highly significant effect but in the direction opposite to what was predicted as seen in Tables XVI and XVII ($t=3.9$, $p<.05$). Perhaps undergraduate students are more familiar with personal injury law than with business law and this is driving the more favorable attitudes. Also, more self-monitoring by personal injury law firms may be aiding their public image as well.

Type of Law and Medium

H6 investigated the interaction between the type of medium and the type of law. Specifically, it was proposed that Internet advertising would result in more favorable attitudes for business law than for personal injury law. The interaction between the type of medium and the type of law was significant ($F=2.05$, $p<.1$). The differences seem to be driven by specific media as shown in Table XVIII. When firms do not advertise, the business law firm generates more favorable attitudes than personal injury law. However, when the firm does advertise, the personal injury law firm that advertises on television is viewed more favorably than the business law firm that does the same. Clearly the television is viewed as an inappropriate medium for business law. Contrary to the hypothesis, there were no significant differences in the use of any other media, including the Internet (Exhibit E). These results are replicated when all students are clubbed together (Exhibit F) and when all groups (Exhibit G) are analyzed together as well.

A univariate analysis provides information on each of the mediums in an attempt to see which of the three groups is most likely to look to each of the mediums in their search for an attorney. The undergraduates were the group most likely to look in the yellow pages during their search with an average score of 3.79; they were also the most likely group to search for referrals from friends and family with an average score of 6.450. Undergraduates again were more likely than the other two samples to seek television, print, or Internet ads in their decision making process. Lawyers were more likely than any other group to use some other type of aid including other lawyers in their firms among other resources to aid in their search for an attorney.

From this information, it is once again derived that the consumers have more favorable images towards legal advertising.

Chapter VI: Discussion

The results presented above offer just as many questions as they do answers. This section will help to explore these questions and offer some concluding thoughts about the information presented.

With regard to the three groups studied—lawyers, law students and undergraduate students—it is clear that there are fewer differences in the overall attitudes towards legal advertising than would be suggested by prior literature. It appears that as legal advertising becomes more established over time, the legal profession is also becoming more receptive to advertising. Perhaps the pressures of the marketplace are forcing members of the legal profession to view advertising efforts in a much more positive light. Of course, the sample of lawyers used here was quite small and did not cut across a variety of law practices. Perhaps if a much broader study were attempted, the directional support found in this study would approach statistical significance as well.

This study also encourages members of the legal profession to more carefully monitor changing attitudes among consumers towards legal advertising. Unlike the evidence found in prior research, this study does not find the expected relationships between demographics and attitudes to legal advertising. For example, women and men seem about equal in their attitudes towards legal advertising. Given that the earlier studies were several years old, the study findings highlight the need for keeping pace with changing attitudes.

A particularly interesting finding is that women lawyers are, if anything, even more negatively predisposed towards advertising. Perhaps as more women enter the

legal profession and feel more firmly ensconced in the profession, these differences will disappear the way other demographic differences have.

As reported in the study, there are significant interactions between media and the type of law practiced. The most surprising finding is that firms that do not advertise are not held in any higher regard than firms that do. While this study is limited to undergraduate students, monitoring their opinions is important because they will serve as future consumers. Law firms can rest easy knowing that their marketing efforts will not necessarily have a negative effect on their image. In order to test the pure effects of media, in this study, there was no manipulation of the quality of advertising used. Clearly this will have an impact on attitudes towards firms that advertise. Future research should address whether the same criteria are used in determining the quality of advertising in various media. It is also interesting that undergraduate students had a more positive view of personal injury law than of business law. Much of this may have to do with familiarity with various branches of law. However, it may also be an indication that through extensive advertising, personal injury law firms have been able to convey their role and importance in society to an important consumer group, today's students.

Future Research

While this experiment studied some of the aspects encountered in legal advertising, there are many more to be explored. Some of those areas for future research were discovered from this research.

When a law firm decides to advertise, the most rigidity towards advertising may be experienced from the female attorneys. Future research may explore why women attorneys have a less favorable view towards legal advertising.

This study discovered that lawyers' and law students' attitude towards legal advertising become more favorable with age. This finding may be a result of increased confidence within the market and a better knowledge of the market in which the law firm operates. A future study could explore why their attitude seems to increase with age.

As shown in this experiment, the medium that a law firm chooses to advertise on affects the perceived image of the law firm. Once a law firm has decided to target certain segments of the market, the advertising employed must target those segments. Future research could be conducted on further segmentation of the consumer market in order to discover which mediums will reach certain segments and contribute to a favorable image of the law firm being advertised.

If a law firm decides to advertise via a web page on the Internet, the next step is to design this site. Decisions like what graphics and links among many others need to be made regarding the layout of the site. Attention could be given to this topic in order to aid the law firms in these decisions.

Exhibit A

Smith, Jones,

&

Calahan

The law firm of Smith, Jones, and Calahan was established in 1942 in Cincinnati, Ohio and since then has been providing *(Insert Business or Personal Injury)* Legal services to clients. The lawyers in the firm are all members of the American Bar Association and are licensed to practice in numerous jurisdictions.

They are accustomed to taking initiative, bringing suggestions to the attention of their clients. Many of the attorneys have received recognition from their peers for their professionalism and ability. Smith, Jones, and Calahan has extensive support services and resources in order to help their attorneys achieve success. The firm operates on the principal commitment to provide superior service to its clients.

Smith, Jones, and Calahan generates a large amount of business by word-of-mouth. *(Omit the rest of this paragraph if the law firm does not advertise)* In addition to relying on word-of-mouth, the firm has chosen to advertise primarily through *(Insert medium: yellow pages, print, Internet, television, or radio)*. The advertisements contain information about the location of the firm, phone number and the firm's mission to being trusted counselors and advocates for their clients. The print advertisements in newspapers and magazines emphasize the firm's commitment to providing superior service to its clients.

Questionnaire

circle

Please the number that best indicates your opinion of the following statement. There are no right or wrong answers. Please answer each question honestly and accurately.

1. I believe that the law firm in the description I have just read is made up of lawyers who are:

Untrustworthy	1	2	3	4	5	6	7 Trustworthy
Unprofessional	1	2	3	4	5	6	7 Professional
Undependable	1	2	3	4	5	6	7 Dependable
Unknowledgeable	1	2	3	4	5	6	7 Knowledgeable
Incompetent	1	2	3	4	5	6	7 Competent
Unreliable	1	2	3	4	5	6	7 Reliable
Not Credible	1	2	3	4	5	6	7 Credible
Ineffective	1	2	3	4	5	6	7 Effective
Unethical	1	2	3	4	5	6	7 Ethical
Not helpful	1	2	3	4	5	6	7 Helpful
Undignified	1	2	3	4	5	6	7 Dignified
Unbelievable	1	2	3	4	5	6	7 Believable
Not convincing	1	2	3	4	5	6	7 Convincing

Circle

2. the number corresponding to your opinion about the following statements.

I feel that the law services I just read about are of high quality.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Should a friend need this service, I would tell him/her about this law firm.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

3. **Circle** the number corresponding to your opinion.

A lawyer loses credibility if he/she advertises.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

If a lawyer were to advertise, customers would be tempted to switch to another lawyer who does not advertise.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Advertising by lawyers should not be allowed.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Advertising by lawyers provides customers with the opportunity to make a better selection of a lawyer.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Advertising by lawyers increases competition among lawyers.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Advertising by lawyers leads to better services for the clients.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Lawyers who advertise do inferior work.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

People feel more comfortable going to a new lawyer if he/she advertises.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

4. **Circle** the number corresponding to your opinion.

Personal injury law is technologically intensive.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Personal injury attorneys are honest.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Personal injury attorneys are trustworthy.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Personal injury attorneys are professional.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Personal injury attorneys are knowledgeable.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Business law is technologically intensive.

Strongly Disagree 1 2 3 4 5 6 7 Strongly Agree

Business attorneys are honest.								
Strongly Disagree	1	2	3	4	5	6	7	Strongly Agree
Business attorneys are trustworthy.								
Strongly Disagree	1	2	3	4	5	6	7	Strongly Agree
Business attorneys are professional.								
Strongly Disagree	1	2	3	4	5	6	7	Strongly Agree
Business attorneys are knowledgeable.								
Strongly Disagree	1	2	3	4	5	6	7	Strongly Agree

5. If you needed an attorney, how likely would you be to look at each of the following?

Yellow pages								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely
Word of mouth (family member, friend, etc.)								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely
Television ads								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely
Print media (newspaper, magazines, etc.)								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely
Internet								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely
Radio ads								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely
Other (please specify) _____								
Not Likely At All	1	2	3	4	5	6	7	Extremely Likely

6. Do you personally know a lawyer?

Yes No

7. Without looking back, please answer the following questions.

What area of law did the firm described in the beginning practice? _____

Where, if at all, did the firm advertise? _____

Please tell us about your background. This information is strictly confidential and will only be used to compare your answers across various segments of consumers.

8. Age _____

9. Gender Male _____ Female _____

10. Ethnic Background

African American _____

White _____

Asian _____

Hispanic _____

Other _____

Undergraduates:

Major: _____

Circle Rank:

Freshman

Sophomore

Junior

Senior

Law students:

Circle rank: Law I Law II Law III

Expected Year of Graduation _____

Anticipated area of practice _____

Lawyers:

Year of law school graduation _____

Years in practice _____

Area of practice _____

Exhibit B

Characteristics of Undergraduate Student Sample

Characteristics	Frequency (N=250)	Percentage
Age (years)		
18-20	57	23%
21-25	176	70%
26-30	6	2%
31+	4	2%
Not reporting	7	3%
Sex		
Male	129	51.6%
Female	120	48%
Not reporting	1	.4%
Ethnicity		
African American	7	2.9%
Asian	42	16.8%
White	189	75.6%
Hispanic	2	.8%
Other	2	.8%
Not reporting	8	3.2%
Year in College		
Sophomore	12	5%
Junior	111	45%
Senior	71	28%
Not reporting	56	22%
Major		
Business	13	5.2%
Marketing	36	14.4%
Accounting	19	7.6%
Finance	24	9.6%
MIS	13	5.2%
Management	7	2.8%
Human Resources	3	1.2%
International Bus.	4	1.6%
T&L	7	2.8%
Other	57	22%
Not reporting	69	27.6%

Exhibit C

Characteristics of Law Student Sample

Characteristics	Frequency (N=108)	Percentage
Age (years)		
22-25	64	59%
26-30	35	32%
31-35	4	4%
36-40	4	4%
41+	1	1%
Sex		
Male	47	44%
Female	61	56%
Ethnicity		
African American	8	7%
White	90	84%
Hispanic	3	3%
Other	7	6%
Year in Law School		
Law I	47	44%
Law II	27	25%
Law III	34	31%
Type of Law Practiced		
Business	21	19%
Litigation	10	9%
Estates, Wills, Probate	4	4%
Employment	6	5%
Criminal	11	10%
Tax	3	3%
Health	5	5%
Government	2	2%
Alternative Dispute	2	2%
Public Interest	3	3%
Patent	3	3%
Not practicing	3	3%
Other	10	9%
Not reporting	25	23%

Exhibit D

Characteristics of Attorney Sample

Characteristics	Frequency (N=85)	Percentage
Age (years)		
26-30	20	24%
31-35	26	31%
36-40	13	15%
41-45	8	9%
46-50	5	6%
51-55	3	4%
56-60	4	5%
61+	2	2%
Not reporting	4	5%
Sex		
Male	48	56%
Female	33	39%
Not reporting	4	5%
Ethnicity		
African American	1	1%
White	78	92%
Hispanic	1	1%
Other	1	1%
Not reporting	4	5%
Years of Experience		
.5-5	32	38%
5.5-10	23	27%
11-14	8	9%
15-20	5	6%
21-25	5	6%
30+	5	6%
Not reporting	7	8%
Type of Law Practiced		
Business	31	36%
Litigation	21	25%
Personal Injury	9	11%
Estates, Wills, Probate	5	6%
Employment	3	4%
Criminal	1	1%
Teaching	3	5%
Other	4	5%
Not reporting	8	9%

Differences in Attitudes of Lawyer Advertising

Table I

<u>Source</u>	<u>Type III Sum of Squares</u>	<u>df</u>	<u>Mean Square</u>	<u>F</u>
<u>Sig.</u>				
Corrected Model	165.056	2	82.528	1.946
.144				
Intercept	332369.78	1	332369.78	7835.659
.000				
SUBJECT	165.056	1	82.528	1.946
.144				
Error	18536.487	437	42.418	
Total	438509.00	440		
Corrected Total	18701.543	439		
(R Squared=.009 and Adjusted R Squared=.004)				

Table II

Subject Bound	Mean	Std. Error	Lower Bound	Upper
Undergraduate 32.086	31.276	.412	30.466	
Law Students 32.181	30.944	.630	29.706	
Lawyers 31.056	29.651	.715	28.246	

Differences in Attitudes of Lawyer Advertising Based on Gender

Gender of All Groups

Table III

Gender	Number	Mean	Std. Deviation	Std. Error Mean
Male	223	30.7937	6.5748	.4403
Female	212	30.9670	6.5378	.4490

Table IV

t-tests for Equality of Means

	t	df	Sig. (2-tailed)	Mean Difference
Attitude toward legal advertising				
Equal variances assumed	-.275	433	.783	-.1733
Equal variances not assumed	-.276	432.122	.783	-.1733

Gender of Undergraduates

Table V

Gender	Number	Mean	Std. Deviation	Std. Error Mean
Male	129	30.8450	6.0434	.5321
Female	120	31.6750	6.2472	.5703

Table VI

t-tests for Equality of Means

Mean Difference	t	df	Sig. (2-tailed)	
Attitude toward legal advertising				
Equal variances assumed	-1.065	247	.288	-
.8300				
Equal variances not assumed	-1.064	244.269	.288	-
.8300				

Gender of Law Students

Table VII

Gender	Number	Mean	Std. Deviation	Std. Error Mean
Male	47	30.3617	7.1336	1.0405
Female	60	31.4000	6.9140	.8926

Table VIII

t-tests for Equality of Means

Mean	t	df	Sig. (2-tailed)	
Difference Attitude toward legal advertising				
Equal variances assumed 1.0383	-.760	105	.449	-
Equal variances not assumed 1.0383	-.757	97.461	.451	-

Gender of Lawyers

Table IX

Gender	Number	Mean	Std. Deviation	Std. Error Mean
Male	47	31.0851	7.4712	1.0898
Female	32	27.5000	5.9514	1.0521

Table X

t-tests for Equality of Means

Mean	t	df	Sig. (2-tailed)	
Difference Attitude toward legal advertising				
Equal variances assumed	2.267	77	.026	3.5851
Equal variances not assumed	2.367	75.014	.021	3.5851

Differences in Attitudes of Lawyer Advertising Based on Age

Table XI

All Groups				
Model	Coefficients			t
	Unstandardized Coefficients B	Std. Error	Standardized Coefficients Beta	
Constant	30.681	1.129		27.166
Age	9.702E-03	.042	.011	.229

Table XII

<u>Undergraduates</u>				
Model	Coefficients			t
	Unstandardized Coefficients B	Std. Error	Standardized Coefficients Beta	
Constant	31.255	3.903		8.007
Age	4.195E-03	.179	.002	.023

Law Students

Coefficients

Lawyers

Coefficients

Differences in Attitudes Based on Media

Table XV

	Media	Mean Difference	Std. Error	Sig.
<i>No Advertising</i>				
	Yellow Pages*	-3.3993	1.4557	.021
	Radio*	-3.6114	1.4557	.014
	Television*	-3.3690	1.4557	.022
	Print	5.882E-02	1.4448	.968
	Internet	-2.3993	1.4557	.101
<i>Yellow Pages</i>				
	No Advertising*	3.3993	1.4557	.021
	Radio	-.2121	1.4665	.885
	Television	3.030E-02	1.4665	.984
	Print*	3.4581	1.4557	.018
	Internet	1.0000	.14665	.496
<i>Radio</i>				
	No Advertising*	3.6114	1.4557	.014
	Yellow Pages	.2121	1.4665	.885
	Television	.2424	1.4665	.869
	Print*	3.6702	1.4557	.012
	Internet	1.2121	1.4665	.410
<i>Television</i>				
	No Advertising*	3.3690	1.4557	.022
	Yellow Pages	-3.0303E-02	1.4665	.984
	Radio	-.2424	1.4665	.869
	Print*	3.4378	1.4557	.020
	Internet	.9697	1.4665	.509
<i>Print</i>				
	No Advertising	-5.8824E-02	1.4448	.968
	Yellow Pages*	-3.4581	1.4557	.018
	Radio*	-3.6702	1.4557	.012
	Television*	-3.4378	1.4557	.020
	Internet*	-2.4581	1.4557	.093
<i>Internet</i>				
	No Advertising	2.3993	1.4557	.101
	Yellow Pages	-1.0000	1.4665	.496
	Radio	-1.2121	1.4665	.410
	Television	-.9697	1.4665	.509
	Print*	2.4581	1.4557	.093

*The mean difference is significant at the .10 level.

Differences in Attitudes Based on the Type of Law

Table XVI

Source	Type III Sum of Squares	df	Mean Square	F	Sig.
Corrected Model	976.375	11	88.760	2.606	.004
Intercept	207828.58	1	207828.58	6101.610	.000
Law type	133.238	1	133.238	3.912	.049
Ad type	486.085	5	97.217	2.854	.016
Law Type					
Ad Type	348.720	5	69.744	2.048	.074
Error	6403.518	188	34.061		
Total	215715.00	200			
Corrected Total	7379.875	199			

Table XVII

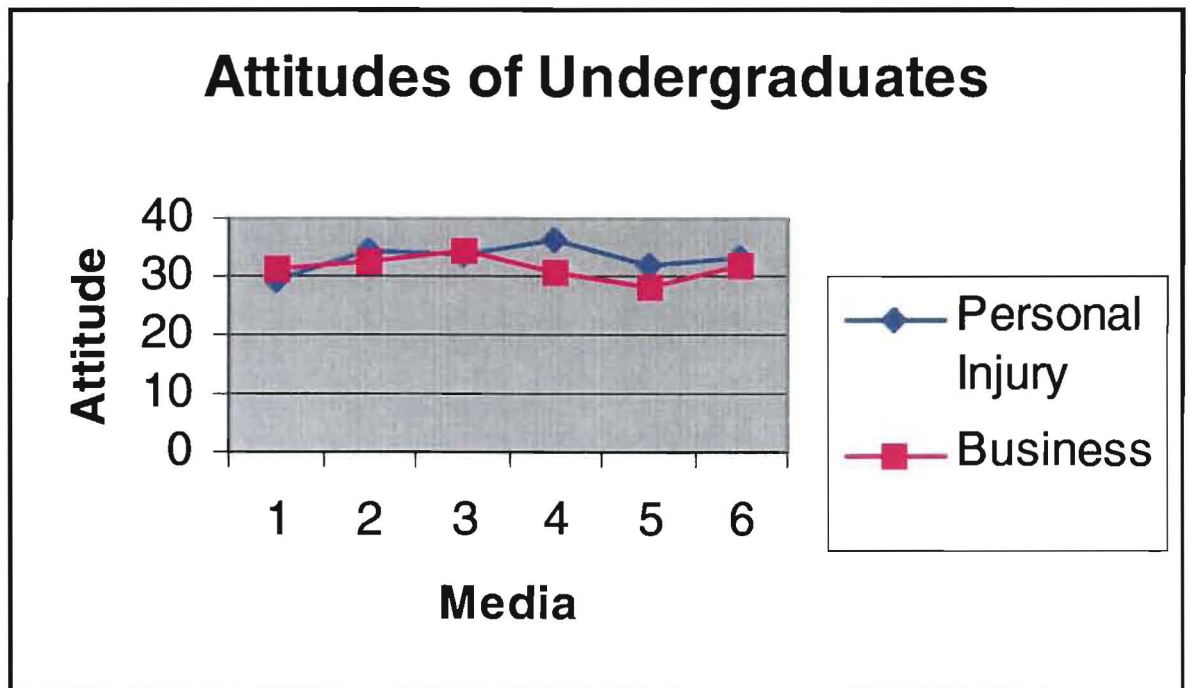
Law Type	Mean	Std. Error	95% Confidence Interval	
			Lower Bound	Upper Bound
Personal Injury	33.086	.575	31.951	34.221
Business	31.452	.593	30.282	32.622

Differences in Attitudes Based on Law Type and Medium

Table XVIII

Law Type Bound	Medium	Mean	Std. Error	95% Confidence Interval	
				Lower Bound	Upper
Personal Injury	No Advertising	29.118	1.415	26.325	31.910
	Yellow Pages	34.294	1.415	31.502	37.086
	Radio	33.471	1.415	30.678	36.263
	Television	36.353	1.415	33.561	39.145
	Print	32.059	1.415	29.267	34.851
	Internet	33.222	1.376	30.509	35.936
Business	No Advertising	31.235	1.415	28.443	34.028
	Yellow Pages	32.813	1.459	29.934	35.691
	Radio	34.125	1.459	31.247	37.003
	Television	30.562	1.459	27.684	33.441
	Print	28.176	1.415	25.384	30.969
	Internet	31.800	1.507	28.827	34.773

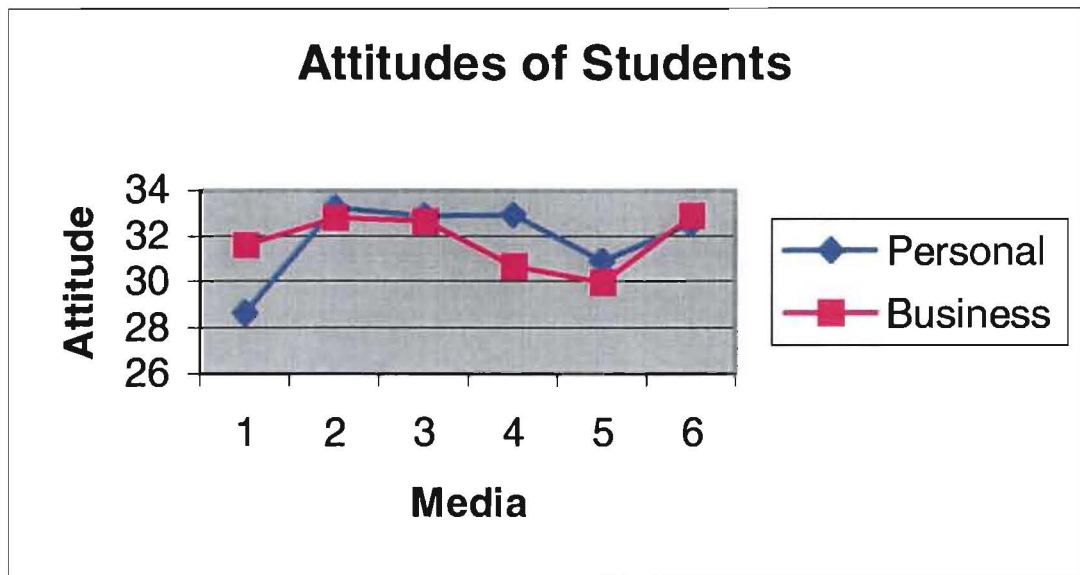
Exhibit E



Media:

- 1: No advertising
- 2: Yellow Pages
- 3: Radio
- 4: Television
- 5: Print (newspapers, journals, etc.)
- 6: Internet

Exhibit F



Media:

1: No advertising

2: Yellow Pages

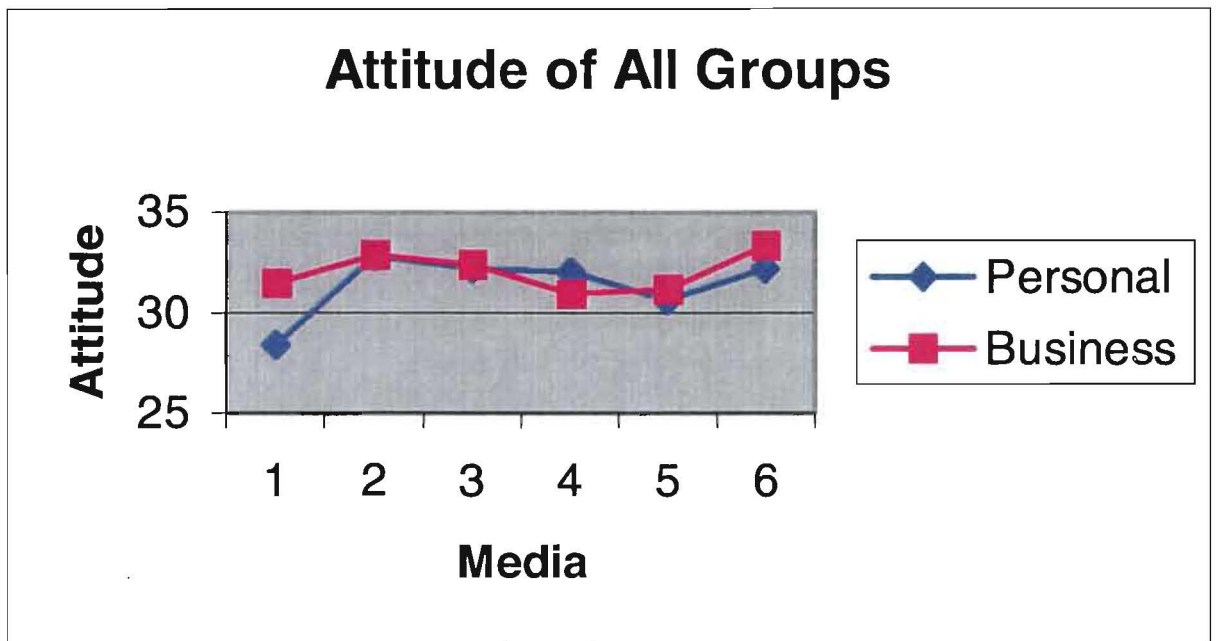
3: Radio

4: Television

5: Print (newspapers, journals, etc.)

6: Internet

Exhibit G



Media:

- 1: No advertising
- 2: Yellow Pages
- 3: Radio
- 4: Television
- 5: Print (newspapers, journals, etc.)
- 6: Internet

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